

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, SEPTEMBER 20, 1988

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:11 a.m. The meeting was recessed by Mayor O'Connor at 12:03 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor McColl at 2:00 p.m. with Mayor O'Connor and Council Member Roberts not present. The meeting was recessed by Mayor O'Connor at 3:48 p.m. to convene the Redevelopment Agency Meeting. The meeting was reconvened by Mayor O'Connor at 3:49 p.m. with all members present. Mayor O'Connor adjourned the meeting at 8:42 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (jb;tm)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

ITEM-201: (R-89-551) ADOPTED AS RESOLUTION R-271916

Awarding of bid for three recycling vehicles.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D100-104.)

MOTION BY STRUIKSMA TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-330:

Rezoning a 0.5-acre site from Zone A-1-1 to Zone R1-15000.

The subject property is located on the southeast corner of Saturn Boulevard and Leon Avenue, in the Otay Mesa-Nestor Community Plan area, and is further described as a portion of the west half of the northeast quarter of Section 33, Township 18 South, Range 2 West, S.B.B.M.
(Case-88-0307. District-8.)

Subitem-A: (R-89-283) ADOPTED AS RESOLUTION R-271917

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0307 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-89-21) INTRODUCED, TO BE ADOPTED OCTOBER 10, 1988

Introduction of an Ordinance for R1-15000 Zoning.

Subitem-C: (R-89-291) ADOPTED AS RESOLUTION R-271918

Adoption of a Resolution authorizing submittal of rezoning ordinance to the California Coastal Commission for its approval.

FILE LOCATION: ZONE - Ord. No.

COUNCIL ACTION: (Tape location: D070-100.)

Hearing began at 2:09 p.m. and halted at 2:10 p.m.

MOTION BY FILNER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331:

Appeal of The Salvation Army, by Major Richard Love, from the decision of the Planning Commission in failing to

approve Conditional Use Permit CUP-88-0136, which was deemed a denial.

The project would establish a Federal Offenders Pre-Release Rehabilitation Program for up to 35 individuals (35 beds) occupying 6,000 square feet within an existing building.

The subject property (0.23-acres), is located at the southeast corner of Tenth Avenue and "G" Street, in Zone RCX (residential commercial), in the Centre City Planned District, and is further described as Lots A and B, Block 82, Horton's Addition.
(CUP-88-0136. District-8.)

19880920

Subitem-A: (R-89-709) ADOPTED AS RESOLUTION R-271919

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0136 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-710) ADOPTED AS RESOLUTION R-271920
GRANTING THE APPEAL AND THE PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP-88-0136

COUNCIL ACTION: (Tape location: F304-G080.)

Hearing began at 3:47 p.m. and halted at 4:12 p.m.

Testimony in favor by Dorothy Leonard.

Testimony in opposition by Morris Slayen, James Hughes and George McCartie.

Motion by Henderson to continue for three weeks to allow time for further review. No second.

MOTION BY FILNER TO GRANT THE APPEAL AND GRANT THE PERMIT.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-not present, Henderson-nay, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-332:

Matters relating to the Oliver McMillan Hillcrest Square project:

1. Request for a 2.15-acre, 1-lot subdivision for

commercial development on property located on the south side of Washington Street between 5th and 6th Avenues. The subject property is further described as Lots 2 through 9 inclusive and Lots 16 through 23 inclusive and portions of Lots 2 and 23 in Block 1, of Northside Addition, Map-666 together with portions of Lots 3, 4, 5, and 6 of G.A. Bush Addition, Map-1915, in Zone C, in the Uptown Community Plan area.

2. A proposal to vacate Sixth Avenue between Washington Street and the Sixth Street Extension as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed tentative map for Oliver McMillan Hillcrest Square (TM-88-0227).

(TM-88-0227. District-2.)

(See City Manager Report CMR-88-427.)

19880920

Subitem-A: (R-89-449) ADOPTED AS RESOLUTION R-271921

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0227, with Candidate Findings for Oliver McMillan Hillcrest Square, in connection with a Planned Commercial Development Permit, Conditional Use Permit, Tentative Map, and Street Vacation, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-89-448) ADOPTED AS RESOLUTION R-271922

Adoption of a Resolution authorizing the vacation of Sixth Avenue between Washington Street and the Sixth Street Extension as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-C: (R-89-785) ADOPTED AS RESOLUTION R-271923

GRANTING THE MAP

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

FILE LOCATION:

Subitems A&C - SUBD - Hillcrest Square

Subitem B - DEED F-4610 STRT J-2693

DEEDFY89-1

COUNCIL ACTION: (Tape location: G080-559.)

Hearing began at 4:12 p.m. and halted at 4:45 p.m.

Motion by Wolfsheimer to continue, re-advertise and renote.

No second.

MOTION BY ROBERTS TO APPROVE STAFF'S RECOMMENDATION. Second by McColl. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-nay, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-333: CONTINUED TO OCTOBER 11, 1988 AT 10:00 A.M.

(Continued from the meetings of July 19, 1988, Item 331 and August 9, 1988, Item 331; last continued at the City Manager's request, for further review.)

Two actions relative to the Penasquitos East Facilities Benefit Assessment:

(Penasquitos East Community Area. District-1.)

19880920

Subitem-A: (R-88-2122)

Designating an area of benefit in Penasquitos East and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to said Public Facilities Projects, the method for apportioning the costs of said public facilities projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each such parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments, and proceedings thereto, and ordering of the proposed Public Facilities Project in the matter of the Penasquitos East Facilities Benefit Assessment Area.

Subitem-B: (R-88-2171)

Declaring that the assessment fee schedule contained in the Penasquitos East Public Facilities Benefit Assessment and Financing Plan is to be an appropriate and applicable fee for all properties within the Penasquitos East Community that have never been assessed under the Penasquitos East Facilities Benefit Assessment and Public Facilities Financing Plan or have otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council; rescinding any provisions of Section 6 of

Resolution R-270065 which are inconsistent and of no further force and effect.

CITY MANAGER SUPPORTING INFORMATION: On January 5, 1988 Council adopted Resolution R-270065 which established impact fees for those portions of 11 planned urbanizing communities that were not included in an existing Facilities Benefit Assessment or otherwise required to pay Public Facility Impact Fees. That Resolution established as the applicable impact fee the prevailing, Council approved Public Facilities Financing Plan. Section 6 of the Resolution deals with the Penasquitos East Community. The Resolution will delete the fees as established in the 1986 Financing Plan and establish the applicable fees as being those contained in the 1988 Financing Plan, once Council has approved the 1988 Plan.

FILE LOCATION: STRT - FB-5

COUNCIL ACTION: (Tape location: A010-021; L243-248.)

Motion by Wolfsheimer to trail to Tuesday, p.m. (9-20-88).

Second by McColl. Passed: Yeas-1,2,3,6,7,8,M. Not present-4,5.

MOTION BY HENDERSON TO CONTINUE TO OCTOBER 11, 1988. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-334: (O-89-61) INTRODUCED AS AMENDED, TO BE ADOPTED
OCTOBER 10, 1988

Introduction of an Interim Ordinance for Linda Vista which will remain in effect until implementing ordinances of the revised Linda Vista Community Plan are in effect. The proposed ordinance would supersede the existing Linda Vista Emergency Ordinance.

The current Linda Vista Emergency Ordinance applies to the areas in the Linda Vista Community Plan, known as: Subarea 2 (Chesterton); Subarea 4 (Linda Vista); Subarea 8 (Mission Heights); Subarea 9 (Tait-Kelly) and Subarea 11 (Alcala Knolls).

The proposed Linda Vista Interim Ordinance would expand the boundaries of the current ordinance to include the areas in the Linda Vista Community Plan known as: Subarea 1 (Linda Vista Hills); Subarea 3 (Wheatly); Subarea 5 (Manor Terrace); Subarea 6 (Linda Vista Village); Subarea 7 (Casa Bella); Subarea 10 (USD/Las Cumbres); Subarea 12 (Fashion Heights); Subarea 13 (North River); Subarea 14

(Friars Road); Subarea 15 (Friars/Via Las Cumbres); Subarea 16 (Silver Terrace); Subarea 17 (USD Housing); Subarea 18 (USD/Marian); Subarea 19 (Overlook Heights); Subarea 20 (Morena), with the exception of the Morena Revitalization Area. The other provisions of the Linda Vista Interim Ordinance are summarized as follows:

1. Residential development at a density greater than one dwelling unit per 5000 square feet of lot area and in the single-family zones shall obtain a Planned Infill Residential Development Permit (PIRD).
2. Residential development at a density greater than one dwelling unit per 5000 square feet of lot area and in the multiple-family zones shall obtain a Planned Residential Development Permit (PRD).
3. Commercial development in the commercial zones shall obtain a Conditional Use Permit (CUP) or a Planned Commercial Development Permit (PCD).
4. Residential development may require guest parking not to exceed 0.50 space per dwelling unit as a condition of obtaining a PIRD or PRD permit.

(District-5 and 6.)

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: L527-M351.)

Hearing began at 8:09 p.m. and halted at 8:40 p.m.

Testimony in opposition by Mel McKay.

MOTION BY STRUIKSMA TO INTRODUCE AS AMENDED REVISING THE ORDINANCE BY DELETING SECTION THREE AND BY AMENDING SECTION TWO TO ALLOW FOR ONE GUEST PARKING SPACE PER UNIT. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-335:

Three actions relative to the Winterwood Lane Community Park project:

(See City Manager Report CMR-88-422. Mira Mesa Community Area. District-5.)

19880920

Subitem-A: (R-89-334 Rev.1) ADOPTED AS RESOLUTION R-271924

Adoption of a Resolution determining and declaring that the public interest, convenience and necessity of the City of

San Diego require the acquisition of property in the North Half of the Northwest Quarter of the Southeast Quarter of Section 35, Township 14 South, Range 3 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California; and that the public interest, convenience and necessity demand the acquisition of fee simple absolute to said property for the Winterwood Lane Community Park Open Space Project; declaring the intention of the City of San Diego to acquire said property under eminent domain proceedings; directing the City Attorney of the City of San Diego to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of acquiring said property.

Subitem-B: (R-89-560) ADOPTED AS RESOLUTION R-271925

Certifying that the information contained in Environmental Negative Declaration END-87-0889 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

Subitem-C: (R-89-559) ADOPTED AS RESOLUTION R-271926

Authorizing the transfer of an amount not to exceed \$600,000 from Fund 39082 (Mira Mesa Park Development Fund) to CIP-29-423.0 (Winterwood Lane Community Park Acquisition and Development); authorizing the expenditure of an amount not to exceed \$2,600,000 from CIP-29-423.0 (Winterwood Lane Community Park Acquisition and Development) for the acquisition of property and related costs in connection with Winterwood Lane Community Park Project.

Aud. Cert. 8800758.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F295-304.)

Hearing began at 3:48 p.m. and halted at 3:48 p.m.

MOTION BY STRUIKSMA TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: (O-89-) NOTED AND FILED

Introduction and adoption of an Ordinance amending Ordinance O-17122 (NS) as amended, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1988-1989 and Appropriating the Necessary Money to Operate the City of

San Diego for said Fiscal Year" by amending the non-personnel authorization of the Planning Department (065), in General Fund 100, by adding \$15,000 to Program Element (06535) and related non-personnel expenses, and for contractual services, for Transportation Demand Management (TDM); authorizing the Auditor and Comptroller to increase the Planning Department (065) Fiscal 1989 appropriation in the General Fund (100) by transferring \$15,000 from the General Fund (100) Unallocated Reserve.

NOTE: The first public hearing was held on Monday, September 19, 1988, Item 205,

Subitem C. Today's action is
the second public hearing for the introduction and adoption
of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A010-021.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-not present, Struiksma-not present,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337: (O-89-49) INTRODUCED AND ADOPTED AS ORDINANCE O-17145
(New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-17122-1, as amended and adopted therein, by increasing the Fiscal Year 1989 Capital improvements Program by \$1,925,000; authorizing the Auditor and Comptroller to transfer to the Capital Improvements Program for CIP-37-417, City Operations Building - Permit Center Construction, the sums of \$425,000 from the General Fund 100, Unallocated Reserve (605) and \$1,500,000 from the Building Inspection Enterprise Fund 41300, Unappropriated Fund Balance (1300).

(See City Manager CMR-88-447. Centre City Community Area. District-8.)

Aud. Cert. 8900248.

NOTE: The first public hearing was held on Monday, September 19, 1988, Item 202. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A022-030.)

MOTION BY McCOLL TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-338: (O-89-45) INTRODUCED AND ADOPTED AS ORDINANCE
O-17146 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17122-1, as amended and adopted therein, by exempting one Deputy Director position from the Classified Service; amending the personnel authorization schedule of the Park and Recreation Department (440), Open Space Division (44610) to reflect the Deputy Director position as Unclassified, and establishing a salary rate therefor.

CITY MANAGER SUPPORTING INFORMATION: The newly created position of Deputy Park and Recreation Director (Open Space Division) is recommended for exemption from the Classified Service. The position has significant management level responsibilities which fall within the managerial definition contained in Charter Section 117(a) 17. This position has duties and responsibilities comparable in level of difficulty and independence similar to other Deputy Director positions in the City which have been exempted from the Classified Service. On August 11, 1988, the Civil Service Commission reviewed this recommendation and determined that the position met all criteria of the Charter and commented in support of exempting this position from the Classified Service. This position is shown in the FY 1989 budget, which included a reorganization to create an Open Space Division within the Park and Recreation Department. NOTE: The first public hearing was held on Monday, September 19, 1988, Item 203. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A022-030.)

MOTION BY McCOLL TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,

Pratt-not present, Struiksma-not present, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339: CONTINUED TO OCTOBER 11, 1988 at 2:00 P.M.

Matters relating to the Pacific Beach Hotel project:

1. Request to subdivide a 1.944-acre site into two lots for commercial development, located on the west side of Strandway between Reed Avenue and Pacific Beach Drive. The proposal would provide for a 174-room hotel, a 6,000-square-foot nightclub/restaurant, two pedestrian-oriented commercial buildings totaling 700 square feet and a two-lot subdivision and associated street action. The subject property is further described as portions of Block 294, Pacific Beach Map-791, and portions of Pueblo Lot No. 1793 of the Pueblo Lands of San Diego, in Zone C of the Pacific Beach Community Plan area.
2. A proposal to vacate Oliver Avenue and portions of Oliver Court, Oliver Place, Reed Avenue, and Strandway, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed tentative map for Pacific Beach Hotel (TM-87-0894).
(PRD & TM-87-0894. District-6.)

Subitem-A: (R-89-238)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-87-0894 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-235)

Adoption of a Resolution authorizing the vacation of Oliver Avenue and portions of Oliver Court, Oliver Place, Reed Avenue, and Strandway as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-C: (R-89-)

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation action is in conjunction with the tentative map for Pacific Beach Hotel (TM-87-0894), which proposes a two-lot subdivision totaling 1.94 acres. The rights-of-way to be vacated are

entirely within the tentative map boundaries and will accommodate and facilitate redevelopment of the project site under a Planned Commercial Development Permit (PCD-87-0894). The Subdivision Board recommended approval of the Tentative Map on June 20, 1988.

The proposed vacation and subdivision area are located in the Pacific Beach Community Plan area and situated within a Commercial Zone. The area of vacation totals approximately 25,150 square feet and is to be incorporated with the adjacent properties to create the 1.94-acre development site. Under the PCD, a 174-room hotel is being proposed with a restaurant, night-club and other retail uses. The proposed development is consistent with the General Plan, which designates the development site for visitor/commercial use.

The rights-of-way proposed for vacation are mostly paved and contain public and franchise facilities with the exception of Oliver Avenue west of Oliver Court, which is unimproved. The improved rights-of-way provide local traffic circulation between Reed Avenue and Pacific Beach Drive and access to adjacent parcels within the development. However, upon the approval of the final map, the rights-of-way will no longer be required for access. Local circulation will likewise not be affected since Strandway is to be extended, widened, and improved to alley standards, which will function adequately in place of the vacated rights-of-way.

Staff review has indicated that the rights-of-way to be vacated will no longer be needed for present or prospective public use and may be vacated under the provision of the Map Act, subject to the recordation of Pacific Beach Hotel (TM-87-0894).

FILE LOCATION:

Subitems A&C - SUBD Pacific Beach Hotel

Subitem B - STRT J-2692

COUNCIL ACTION: (Tape location: D126-146.)

MOTION BY HENDERSON TO CONTINUE FOR THREE WEEKS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-340: (R-89-) NOTED AND FILED

Matter of the proposed release of the Via De La Valle Specific Plan from the requirements of the Interim

Development Ordinance (IDO) to construct 343 remaining dwelling units within the 123.5 acre plan area. The subject specific plan is located on the north side of Via De La Valle, east and west of San Andres Drive, and is legally described as Parcels 1-3, Parcel Map PM-14512; portions of Section 1, Township 14 South, Range 4 West, SBBM; and Record of Survey 6692.

(District-1.)

Adoption of a Resolution approving or denying the release of the Via De La Valle Specific Plan from the requirements of the Interim Development Ordinance (IDO).

FILE LOCATION: LAND - Via De La Valle Specific Plan

COUNCIL ACTION: (Tape location: D059-070.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE AS A RESULT OF THE OWNER WITHDRAWING HIS REQUEST FOR RELEASE. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-341: (R-89-) CONTINUED TO DECEMBER 13, 1988 AT 2:00 P.M.

(Continued from the meeting of August 9, 1988, Item 335, at Mayor O'Connor's request, for review by and recommendation from the Centre City Development Corporation (CCDC).) Appeal of Mr. & Mrs. Bernard Flynn by Donald R. Worley, Attorney, from the decision of the Historical Site Board in the historical designation of the Citrus/Pacific Soap Factory. The subject property is located at 301 West Market Street in the Centre City Community Plan area. (District-8.)

Adoption of a Resolution approving or denying the appeal and approving or denying the historical designation of the Citrus/Pacific Soap Factory with appropriate findings to support Council action.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: D004-059.)

MOTION BY HENDERSON TO CONTINUE TO DECEMBER 13, 1988 AT THE REQUEST OF PAM HAMILTON TO ALLOW CCDC TIME TO COMPLETE NEGOTIATIONS WITH THE PROPERTY OWNERS. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-342:

Matters of the following accelerated variance requests from the Interim Development Ordinance (IDO):

- a) A variance request from the Interim Development Ordinance (IDO) for a 5-unit project (includes proposed units and any existing units to remain). The subject property is located at 1145 Oliver Avenue and is described as Assessor's Parcel No. 423-252-06. The R-1500 zoned site is within the Pacific Beach Community Plan area.
(Case-88-4118 (Accelerated). District-6.)
- b) A variance request from the Interim Development Ordinance (IDO) for a 1-unit project (includes proposed units and any existing units to remain). The subject property is located at 4737 Muir Avenue and is described as Lot 34, Block 8, Ocean Beach Park, Map-1167, Assessor's Parcel No. 448-422-09. The R-3000 zoned site is within the Ocean Beach Community Plan area.
(Case-88-6043 (Accelerated). District-2.)
- c) A variance request from the Interim Development Ordinance (IDO) for a 1-unit project (includes proposed units and any existing units to remain). The subject property is located at 3235 Madrid Street and is described as Assessor's Parcel No. 450-781-23. The R1-5000 zoned site is within the Peninsula Community Plan area.
(Case-88-6049 (Accelerated). District-2.)
- d) A variance request from the Interim Development Ordinance (IDO) for a 1-unit project (includes proposed units and any existing units to remain). The subject property is located at the corner of Tennyson and Locust Streets and is described as Assessor's Parcel No. 450-253-04. The R1-5000 zoned site is within the Peninsula Community Plan area.
(Case-88-6058 (Accelerated). District-2.)

19880920

Subitem-A: (R-89-) CONTINUED TO NOVEMBER 1, 1988
AT 2:00 P.M.

Adoption of a Resolution granting or denying the variance request for IDO Variance Case-88-4118 with appropriate findings to support Council action.

Subitem-B: (R-89-755) ADOPTED AS RESOLUTION R-271927

GRANTING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for IDO Variance Case-88-6043 with appropriate findings to support Council action.

Subitem-C: (R-89-756) ADOPTED AS RESOLUTION R-271928

GRANTING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for IDO Variance Case-88-6049 with appropriate findings to support Council action.

Subitem-D: (R-89-757) ADOPTED AS RESOLUTION R-271929

GRANTING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for IDO Variance Case-88-6058 with appropriate findings to support Council action.

FILE LOCATION:

Subitem A - ZONE IDO Variance Case-88-4118

Subitem B - ZONE IDO Variance Case-88-6043

Subitem C - ZONE IDO Variance Case-88-6049

Subitem D - ZONE IDO Variance Case-88-6058

COUNCIL ACTION: (Tape location: D004-059; M351-377.)

Hearing began at 8:40 p.m. and halted at 8:41 p.m.

MOTION BY HENDERSON TO CONTINUE SUBITEM-A TO NOVEMBER 1, 1988 TO ALLOW TIME FOR THE COMMUNITY PLANNING GROUP TO REVIEW. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY ROBERTS TO GRANT THE VARIANCES FOR SUBITEMS-B, C & D. Second by Struiksma. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-343: (R-89-259) CONTINUED TO SEPTEMBER 27, 1988 AT 2:00 P.M.

(Continued from the meetings of August 2, 1988, Item S501, and September 6, 1988, Item 340; last continued at the request of SEDC and Financial Management, for further

negotiation.)

Adopting the Southeast Economic Development Corporation's Annual Administrative Budget for Fiscal Year 1989; authorizing the City Auditor and Comptroller to establish the necessary accounts and to appropriate and allot all monies available in each project fund up to the amount budgeted and to record the expenditure of funds and the recovery of all accrued costs subject to the amount of revenues available in each project fund; authorizing SEDC's Executive Vice President, or his designee, to make budgetary transfers between the budgeted line items in accordance with Section 1.07 of the Operating Agreement between the Agency and SEDC.

(See memorandum from SEDC Executive Vice President dated 8/2/88.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D004-059.)

MOTION BY HENDERSON TO CONTINUE TO SEPTEMBER 27, 1988 AT THE REQUEST OF THE CITY MANAGER TO ALLOW TIME FOR COUNCIL TO REVIEW THE AMENDMENTS THAT CCDC MADE TO THE FORMAT OF THE BUDGET.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S407:

(Continued from the meeting of September 13, 1988, Item 333, at Council Member Struiksma's request, to review the development agreement language.)

Approval of proposed Levi-Cushman Development Agreement Case-86-0628 (RiverWalk), between the City of San Diego and Chevron Land and Development Company. The agreement would apply to approximately 200 acres in the Mission Valley community and would assure the owner that the property could be developed in conformance with Levi-Cushman Specific Plan and Mission Valley Community Plan for the 25-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located between Friars Road and Hotel Circle North on the west side of Fashion Valley Road and is further described as portions of Pueblo Lots 1103, 1104 and 1105; Lots 3 and 4, Reiners Subdivision and Parcel A, Ohmers Subdivision Map-5344. The specific legal description is on file in the City Planning Department. (Case-86-0628. District-5.)

Subitem-A: (R-89-446) ADOPTED AS RESOLUTION R-271930

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0563 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-37) INTRODUCED, TO BE ADOPTED OCTOBER 10, 1988

Introduction of an Ordinance authorizing the execution of the Levi-Cushman Development Agreement (RiverWalk) between the City of San Diego and Chevron Land and Development Company, Case-86-0628.

FILE LOCATION: DEVL - Levi-Cushman

COUNCIL ACTION: (Tape location: I533-J166.)

Hearing began at 6:07 p.m. and halted at 6:22 p.m.

Testimony in favor by Paul Peterson, Lance Burns and Steve Zimmer.

MOTION BY STRUIKSMA TO ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: NOTED AND FILED

(Continued from the meeting of September 13, 1988, Item 334, at Council Member Struiksma's request, to review the development agreement language.)

Proposal to approve the Regency Hill Development Agreement between the City of San Diego and Barnett-Range-Harbrecht/Regency Hill Associates.

The proposed development agreement would apply to approximately 33.39 acres in the Tierrasanta community.

The development agreement would assure the owner that the property could be developed in conformance with the Tierrasanta Community Plan for the five-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the north side of Friars Road between Santo Road and I-15. A brief legal

description is as follows: a portion of Lot 49, Rancho Mission of San Diego, S.C.C. 348 and Lots 2 and 5, Hilltop Subdivision, Map-9577. The specific legal description is on file in the City Planning Department.
(Case-88-0907. District-7.)

Subitem-A: (R-89-476)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-77-07-36, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-89-477)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0478 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-C: (R-89-484)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-77-07-29, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-D: (O-89-43)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Regency Hill

COUNCIL ACTION: (Tape location: I227-533.)

Hearing began at 5:51 p.m. and halted at 6:07 p.m.

Testimony in favor by Charles Gill and Tom Harbrecht.

MOTION BY McCARTY TO NOTE AND FILE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409:

(Continued from the meetings of September 6, 1988, Item 335

and September 13, 1988, Item S404; last continued at Council Member Struik's request, to review the development agreement language.)

Approval of the proposed Tierrasanta Norte Development Agreement between the City of San Diego and Tierrasanta Norte, a California partnership.

The proposed development agreement would apply to approximately 293 acres in the Tierrasanta community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Tierrasanta Community Plan, Tentative Subdivision Maps TM-87-0749 thru TM-84-0754 and TM-85-0272; Planned Residential Development Permits PRD-84-0749 thru PRD-84-0754, PRD-85-0272 and PRD-85-0796, Rezone Case-84-0754, and the Tierrasanta Public Facilities Financing Plan for the 15-year term of the agreement. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement is located generally east of Santo Road and north of Clairemont Mesa Boulevard. A brief legal description is as follows: Parcels 2, 4, 5, 8, 9, 10, 12, 13 and 15, Parcel Map PM-14737, a portion of Parcels 2 and 3, Parcel Map PM-8547 and Final Map Nos. 10185, 10186 and 10187. The specific legal description is on file in the City Planning Department.
(Case-87-0976. District-7.)

Subitem-A: (R-89-434) ADOPTED AS RESOLUTION R-271931
Adoption of a Resolution certifying that the information contained in Environmental Impact Reports EIR-84-0749 through EIR-84-0754, and EIR-85-0272, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said reports have been

reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-435) ADOPTED AS RESOLUTION R-271932

Adoption of a Resolution certifying that the information contained in Addendum 88-0132 to Environmental Impact Report EIR-84-0750, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (R-89-436) ADOPTED AS RESOLUTION R-271933

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0399, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-D: (O-89-35) INTRODUCED, TO BE ADOPTED OCTOBER 10, 1988

Introduction of an Ordinance adopting the development agreement.

FILE LOCATION: DEVL - Tierrasanta Norte

COUNCIL ACTION: (Tape location: H232-I227.)

Hearing began at 5:05 p.m. and halted at 5:51 p.m.

Testimony in favor by Jim Madaffer, Don Steffenson, and Marv Steadman.

Testimony in opposition by Joan Stuart and Norma Sullivan.

MOTION BY McCARTY TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410: TRAILED TO MONDAY, SEPTEMBER 26, 1988 AS UNFINISHED BUSINESS

(Continued from the meetings of September 6, 1988, Item 337 and September 13, 1988, Item S405; last continued at Council Member Struiksma's request, to review the

development agreement language.)

Approval of the proposed Scripps Sunburst Development Agreement between the City of San Diego and Sunburst Homes Company.

The proposed development agreement would apply to approximately 56.7 acres in the Scripps Miramar Ranch community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Scripps Miramar Ranch Community Plan, Vesting Tentative Map VTM-87-0883, Planned Residential Development Permit PRD-87-0883 and the R1-6000, R-3000, R-2500, CN and HRO zones for the 20-year term of the agreement. Additional provisions are included in the draft development agreement. The property subject to the proposed development agreement is located on the north side of Pomerado Road east of the existing terminus of Fronsall Court. A brief legal description is as follows: The southwest quarter of the southwest quarter of Section 26, Township 14 South, Range 2 West, S.B.B.M. and a portion of the northwest quarter of Section 35, Township 14 South, Range 2 West, S.B.B.M. The specific legal description is on file in the City Planning Department.
(Case-88-0424. District-5.)

Subitem-A: (R-89-430)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0744, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public

Resources Code Section 21081.

Subitem-B: (R-89-431)

Adoption of a Resolution certifying that the information contained in Addendum 87-0883, an addendum to Environmental Impact Report EIR-84-0744, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-33)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Scripps Sunburst

COUNCIL ACTION: (Tape location: K422-L243.)

Hearing began at 7:22 p.m. and halted at 7:51 p.m.

Testimony in favor by Paul Peterson and James Clarke.

Testimony in opposition by Mike Eckmann and Aiken Heinilica.

Motion by Struiksma to adopt the resolutions and introduce the ordinances for items-S410 and S411. Second by McColl. Failed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-nay, Filner-not present, Mayor O'Connor-nay.

ITEM-S411: TRAILED TO MONDAY, SEPTEMBER 26, 1988 AS
UNFINISHED BUSINESS

(Continued from the meetings of September 6, 1988, Item 338 and September 13, 1988, Item S406; last continued at Council Member Struiksma's request, to review the development agreement language.)

Approval of the proposed Scripps Eastview Development Agreement between the City of San Diego and ITEC Properties.

The proposed development agreement would apply to approximately 114 acres in the Scripps Miramar Ranch community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute

facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Scripps Miramar Ranch Community Plan, Vesting Tentative Map VTM-87-0884, Planned Residential Development Permit PRD-87-0884 and the A-1-1, R-3000, R1-6000 and HRO zones for the 20-year term of the agreement. Additional provisions are included in the draft development agreement. The property subject to the proposed development agreement is located south of the Poway City Limits on the north and westerly sides of Pomerado Road, opposite the intersection of Beeler Canyon Road. A brief legal description is as follows: The northwest quarter of the southwest quarter; portion of the northeast quarter of the southwest quarter; portion of the northwest quarter of the southeast quarter; portion of the southeast quarter of the southwest quarter and a portion of the southwest quarter of the northeast quarter, Section 26, Township 14 South, Range 2 West, S.B.B.M. The specific legal description is on file in the City Planning Department.
(Case-88-0423. District-5.)

Subitem-A: (R-89-432)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0744 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-433)

Adoption of a Resolution certifying that the information contained in Addendum 87-0884, an addendum to Environmental Impact Report EIR-84-0744 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives

and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-34)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Scripps Eastview

COUNCIL ACTION: (Tape location: K422-L243.)

Hearing began at 7:22 p.m. and halted at 7:51 p.m.

Testimony in favor by Paul Peterson and James Clarke.

Testimony in opposition by Mike Eckmann and Aiken Heinilica.

Motion by Struiksma to adopt the resolutions and introduce the ordinances for ITEMS-S410 and S411. Second by McColl. Failed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-nay, Filner-not present, Mayor O'Connor-nay.

ITEM-S412:

(Continued from the meetings of September 6, 1988, Item 336, and September 13, 1988, Item S500; last continued at Council Member Struiksma's request, to review the development agreement language.)

Approval of the proposed Miramar Ranch North Development Agreement between the City of San Diego and BCE Development, Inc.

The proposed development agreement would apply to approximately 1,200 acres in the Miramar Ranch North community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Miramar Ranch North Community Plan, and the Miramar Ranch North Public Facilities Financing Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement

is located generally east of I-15, southerly of Poway Road and north of Miramar Lake. A brief legal description is as follows: Portions of Sections 20, 21, 27, 28, 29, 32 and 33, Township 14 South, Range 2 West, S.B.B.M. The specific legal description is on file in the City Planning Department.
(Case-87-0768. District-5.)

Subitem-A: (R-89-437) FILED

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-36) FAILED

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Miramar Ranch North

COUNCIL ACTION: (Tape location: A040-C430; D146-F284; G559-H232.)

Hearing began at 10:12 a.m. and recessed at 12:03 p.m.

Testimony in favor by David Podmore, Alex McDonald, James Milch, Charles Black and David Prewett.

Testimony in opposition by Linda Michael, Jeanne Davies and Alan Sakarias.

Hearing resumed at 2:12 p.m. and recessed at 3:47 p.m.

Mayor O'Connor entered at 2:47 p.m.

Hearing resumed at 4:45 p.m. and halted at 5:05 p.m.

Motion by McCarty to take the approach to make a contract with the City as memorialized in the development agreement consistent with the 3990 units. Second by Struiksma. No vote.

MOTION BY STRUIKSMA TO ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE. Second by McCarty. Failed by the following vote:

Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

ITEM-S500:

(Continued from the meeting of September 13, 1988, Item

330, at Council Member Filner's request, to allow the Planning Department and the City Attorney to work on an agreement with the developer for obtaining a PCD to go with the zoning.)

Rezoning a .25-acre parcel located on the northwest corner of Beyer Boulevard and Alaquinas Drive, in the San Ysidro Community Plan area, from Zone R1-5000 to Zone CA-RR. The subject property is further described as a portion of the south 331 feet of the northwest quarter of the southwest quarter of Section 36, Township 18 South, Range 2 West, S.B.B.M.

(Case-87-1072. District-8.)

(Planning Department recommended approval of CA-RR Zoning; no opposition. Planning Commission voted 5-0 to approve CA-RR Zoning.)

(The San Ysidro Planning and Development Group has recommended approval of this project to Zone CN, conditioned on obtaining a PCD.)

Today's actions are:

19880920

Subitem-A: (R-89-49) ADOPTED AS RESOLUTION R-271934

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-1072 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-89-10) INTRODUCED, TO BE ADOPTED OCTOBER 10, 1988

Introduction of an Ordinance for CA-RR Zoning.

Subitem-C: (R-89-1320) ADOPTED AS RESOLUTION R-271935

Adoption of a Resolution authorizing the City Manager to execute an agreement, pursuant to which the property owner will process a Planned Commercial Development (PCD) Permit.

NOTE: Hearing open. No testimony taken on 9/13/88.

FILE LOCATION: ZONE Ord. No.

COUNCIL ACTION: (Tape location: D104-126.)

Hearing began at 2:09 p.m. and halted at 2:10 p.m.

MOTION BY FILNER TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCE. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-not present.

ITEM-S501:

Approval of the proposed Mercy Mira Mesa Development Agreement Case-87-0746 between the City of San Diego and American Newland Associates and the J.L. Elder Corporation. The agreement would apply to approximately 368 acres in the Mira Mesa community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Mira Mesa Community Plan; PRD-206 and PRD-85-0299; Zones R1-10000, CA and HRO; Final Map Nos. 12004, 12005, 12035, 12037, 12086 and 11833 for the eight-year term of the agreement. Additional provisions are included in the draft development agreement. The subject property is located on the south side of Rancho de Los Penasquitos Canyon between Black Mountain Road and I-15. A brief legal description is as follows: Mercy Mira Mesa Units 1-5, Map Nos. 12004, 12005, 12035, 12037 and 12086 and Final Map No. 11833. The specific legal description is on file in the City Planning Department. (Case-87-0746. District-5.)

Subitem-A: (R-89-544) ADOPTED AS RESOLUTION R-271936

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0299 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-52) INTRODUCED, TO BE ADOPTED OCTOBER 10, 1988

Introduction of an Ordinance approving the development

agreement.

FILE LOCATION: DEVL - Mercy Mira Mesa Development Agreement

COUNCIL ACTION: (Tape location: L461-527.)

Hearing began at 8:05 p.m. and halted at 8:09 p.m.

MOTION BY STRUIKSMA TO ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE. Second by Henderson. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

ITEM-S502: NOTED AND FILED

Approval of the proposed Stonecrest Development Agreement Case-87-0770 between the City of San Diego and Stonecrest Associates. The agreement would apply to approximately 318 acres in the Serra Mesa community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Serra Mesa Community Plan; Stonecrest Specific Plan; M-1B Zone; Tentative Map TM-87-0692 for the 25-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the west side of I-15 between Aero Drive and Friars Road. A brief legal description is as follows: portion of Lot 41, Rancho Mission, Map-348; portions of Lots 43, 49 and 52, Rosedale Tract Map-825; and a portion of Lot 70, Rancho Mission, Map-823. The specific legal description is on file in the City Planning Department.
(Case-87-0770. District-5.)

Subitem-A: (R-89-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0509 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the

Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-53)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Stonecrest Development Agreement

COUNCIL ACTION: (Tape location: K314-362.)

Hearing began at 7:15 p.m. and halted at 7:18 p.m.

Testimony in favor of the note and file by Max Stroble.

MOTION BY STRUIKSMA TO NOTE AND FILE. Second by Pratt. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S503:

Approval of the proposed Westview/Casa Mira View Development Agreement Case-88-0428 between the City of San Diego and Pardee Construction Company. The agreement would apply to approximately 260 acres in the Mira Mesa community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Mira Mesa Community Plan; PRD-86-0969 and Tentative Map TM-86-0969; HRP-87-0177 and Final Map No. 9257 for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east and west sides of Black Mountain Road between Rancho de Los Penasquitos Canyon and Mira Mesa Boulevard. A brief legal description is as follows: Parcel 2, Parcel Map PM-13508; Lots 1-6, Casa Mira View, Map-9257; and portions of Section 30, Township 14 South, Range 2 West, SBM. The specific legal

description is on file in the City Planning Department.
(Case-88-0428. District-5.)

Subitem-A: (R-89-542) ADOPTED AS RESOLUTION R-271937

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-0456 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-543) ADOPTED AS RESOLUTION R-271938

Adoption of a Resolution certifying that the information contained in Environmental Impact Reports EIR-86-0969 and EIR-87-0177 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said reports have been reviewed and considered by the Council and adopting findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-54) INTRODUCED, TO BE ADOPTED OCTOBER 10, 1988

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Westview/Casa Mira View Development Agreement

COUNCIL ACTION: (Tape location: L370-461.)

Hearing began at 7:59 p.m. and halted at 8:05 p.m.

MOTION BY STRUIKSMA TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCE. Second by Henderson. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

ITEM-S504:

Approval of the proposed Penasquitos Development Agreement Case-88-0645 between the City of San Diego and American Newland Associates et al. The agreement would apply to approximately 479.55 acres in the Penasquitos East community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of

the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Penasquitos East Community Plan; Penasquitos Park View Estates Units 5-14; HRP Nos. 183, 184, 189, 198, 203, 204, 163 and 45-228-0; Black Mountain View Estates and Zone R1-5000 for the 10-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the north side of Rancho de Los Penasquitos Canyon, on the west side of Black Mountain Road and a separate location on the northside of Oviedo Street, north of Carmel Mountain High School. A brief legal description is as follows: Penasquitos Park View Estates 5-14, Map Nos. 11657, 11658, 11659, 11709, 11862, 11863, 11864; and Black Mountain View Estates, Map-11373. The specific legal description is on file in the City Planning Department.
(Case-88-0645. District-1.)

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Subitem-A: (R-89-596) ADOPTED AS RESOLUTION R-271939

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-79-07-24 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-597) ADOPTED AS RESOLUTION R-271940

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-79-07-62 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and

that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (R-89-598) ADOPTED AS RESOLUTION R-271941

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-79-10-57 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-D: (R-89-599) ADOPTED AS RESOLUTION R-271942

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-0119 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-E: (R-89-600) ADOPTED AS RESOLUTION R-271943

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-0410 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-F: (R-89-601) ADOPTED AS RESOLUTION R-271944

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-0411 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the

Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-G: (R-89-603) ADOPTED AS RESOLUTION R-271945

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-0923 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-H: (R-89-602) ADOPTED AS RESOLUTION R-271946

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-1113 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-I: (R-89-605) ADOPTED AS RESOLUTION R-271947

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-0599 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-J: (R-89-604) ADOPTED AS RESOLUTION R-271948

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-81-0516 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-K: (O-89-56) INTRODUCED, AMENDING THE DEVELOPMENT AGREEMENT, TO BE ADOPTED OCTOBER 10,

1988

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Penasquitos Development Agreement

COUNCIL ACTION: (Tape location: J166-K314.)

Hearing began at 6:22 p.m. and halted at 7:15 p.m.

Testimony in favor by Alan Dickey, Lois Mangarell, Alan Perry and Mike Conrad.

Testimony in opposition by Dennis Spurr and Kathleen Zaworski-Banke

Hearing was closed by Mayor O'Connor.

MOTION BY WOLFSHEIMER TO APPROVE THE DEVELOPMENT AGREEMENT SUBJECT TO THE CHANGES BY JACK McGRORY. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-not present, Mayor O'Connor-nay.

ITEM-S505:

Approval of the proposed Wuest Estate Development Agreement Case-88-0908 between the City of San Diego and Wuest Estate Company. The agreement would apply to approximately 250 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Miramar Ranch North Community Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal description is as follows: northeast quarter of the northeast quarter and a portion of the northeast quarter of the northwest half of Section 29; and a portion of the south half of the south half, Section 20, Township 14 South, Range 2 West, SBM. The specific legal description is on file in the City Planning Department.
(Case-88-0908. District-5.)

Subitem-A: (R-89-545) NOTED AND FILED AS A RESULT
DENYING THE AGREEMENT

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-57) AGREEMENT DENIED

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Wuest Estate Development Agreement

COUNCIL ACTION: (Tape location: K362-422.)

Hearing began at 7:18 p.m. and halted at 7:22 p.m.

MOTION BY STRUIKSMA TO DENY THE DEVELOPMENT AGREEMENTS FOR ITEMS-S505, S506, S507 AND S508. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S506:

Approval of the proposed USG No. 161 Development Agreement Case-88-0913 between the City of San Diego and Security First National Corporation. The agreement would apply to approximately 40 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Miramar Ranch North Community Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal

description is as follows: northwest quarter of the southeast quarter of Section 27, Township 14 South, Range 2 West, SBM. The specific legal description is on file in the City Planning Department.
(Case-88-0913. District-5.)

**Subitem-A: (R-89-) NOTED AND FILED AS A RESULT OF
DENYING THE AGREEMENT**

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-58) AGREEMENT DENIED

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - USG No. 161 Development Agreement

COUNCIL ACTION: (Tape location: K362-422.)

Hearing began at 7:18 p.m. and halted at 7:22 p.m.

MOTION BY STRUIKSMA TO DENY THE DEVELOPMENT AGREEMENTS FOR ITEMS-S505, S506, S507 AND S508. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S507:

Approval of the proposed McCrink Development Agreement Case-88-0914 between the City of San Diego and Edward J. McCrink. The agreement would apply to approximately 80 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would

assure the owner that the property could be developed in conformance with Miramar Ranch North Community Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal description is as follows: northwest quarter of Section 27, Township 14 South, Range 2 West, SBM. The specific legal description is on file in the City Planning Department.

(Case-88-0914. District-5.)

**Subitem-A: (R-89-546) NOTED AND FILED AS A RESULT OF
DENYING THE AGREEMENT**

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

**Subitem-B: (R-89-547) NOTED AND FILED AS A RESULT OF
DENYING THE AGREEMENT**

Adoption of a Resolution certifying that the information contained in Environmental Impact Report Addendum EIR-87-1131 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report addendum has been reviewed and considered by the Council and adopting findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-59) AGREEMENT DENIED

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - McCrink Development Agreement

COUNCIL ACTION: (Tape location: K362-422.)

Hearing began at 7:18 p.m. and halted at 7:22 p.m.

**MOTION BY STRUIKSMA TO DENY THE DEVELOPMENT AGREEMENTS FOR
ITEMS-S505, S506, S507 AND S508. Second by Henderson. Passed**

by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S508:

Approval of the proposed Curry Development Agreement Case-88-0915 between the City of San Diego and Robert T and Raedene Curry. The agreement would apply to approximately 57.8 acres in the Miramar Ranch North community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Miramar Ranch North Community Plan for the 10-year term of the agreement. Additional provisions are included in the draft development agreement. The subject property is located on the east side of I-15 between Poway Road and Miramar Lake. A brief legal description is as follows: Parcel 2, Parcel Map PM-14909. The specific legal description is on file in the City Planning Department.
(Case-88-0915. District-5.)

Subitem-A: (R-89-548) NOTED AND FILED AS A RESULT OF
DENYING THE AGREEMENT

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0168 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-549) NOTED AND FILED AS A RESULT OF
DENYING THE AGREEMENT

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and

that said report has been reviewed and considered by the Council and adopting findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-60) AGREEMENT DENIED

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Curry Development Agreement

COUNCIL ACTION: (Tape location: K362-422.)

Hearing began at 7:18 p.m. and halted at 7:22 p.m.

Council Member Roberts entered at 7:19 p.m.

MOTION BY STRUIKSMA TO DENY THE DEVELOPMENT AGREEMENTS FOR ITEMS-S505, S506, S507 AND S508. Second by Henderson. Passed

by the following vote: Wolfsheimer-not present, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY STRUIKSMA TO SUSPEND THE RULES AND EXTEND THE MEETING TO 8:30 P.M. Second by Roberts. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S509: NOTED AND FILED TO BE RENOTICED FOR NOVEMBER 15, 1988

NOTE: The Resolution for the EQD Reports (

Subitem A) will

be adopted at the time of the adoption of the Ordinance.

Approval of the proposed Sorrento Hills Development

Agreement Case-88-0590 between the City of San Diego and

American Newland Associates, et al. The agreement would

apply to approximately 557 acres in the Sorrento Hills

community. The development agreement is being proposed to

meet a condition placed on an approved tentative

subdivision map for the property. The primary purpose of

the development agreement is to provide for the funding of

public facilities through the owner's participation in the

community's public facilities financing plan. The owner

would agree to pay its fair share of fees or contribute

facilities in lieu of payment as required by the public

facilities financing plan for the community. The developer

would also provide public improvements, facilities and

services as required by the tentative subdivision map. The

development agreement would assure the owner that the property could be developed in conformance with Sorrento Hills Community Plan; Zones M-IP, M-1B, R-1500 and A-1-1; PRD-84-0570, PID-84-0570 and Tentative Map TM-84-0570; PRD-84-0518; Tentative Map TM-84-0519; HRP-183; and HRP-83-0167 and Tentative Map TM-83-0167 for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-5 and I-805 between Carmel Valley and Rancho de Los Penasquitos Canyon. A brief legal description is as follows: portions of Sections 29, 30, 31, 32, 24 and 25, Township 14 South, Range 3 West, SBM; Maps Nos. 433, 36 and others and Record of Survey Maps. The specific legal description is on file in the City Planning Department.
(Case-88-0590. District-1.)

Subitem-A: (R-89-)

Consideration of a Resolution certifying that the information contained in Addendum No. 88-0590 to Environmental Impact Report EIR-81-12-33 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-89-55)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Sorrento Hills

COUNCIL ACTION: (Tape location: L248-370.)

Hearing began at 7:52 p.m. and halted at 7:59 p.m.

MOTION BY STRUIKSMA TO NOTE AND FILE TO RENOTICE FOR NOVEMBER 15, 1988. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
O'Connor at 8:42 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: M390).